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S/N 09/002,906

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Theodore D. Wugofski et al.

Examiner: Hai Tran

Serial No.: 09/002,906

Group Art Unit: 2611

Filed: January 5, 1998

Docket: 450.196US1

Title: A SYSTEM FOR MANAGING FAVORITE CHANNELS

Technology Center 2600

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**RESPONSE UNDER 37 CFR § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

In response to the Office Action mailed on August 1, 2001, please consider the remarks set forth below.

**REMARKS**

Applicant has carefully reviewed and considered the Office Action mailed on August 1, 2001, and the references cited therewith. Claims 1-12 and 19-29 are now pending in this application.

Applicant traverses the rejection of claims 1-12 and 19-29 and respectfully requests reconsideration and allowance of all pending claims.

**§103 Rejection of the Claims**

Claims 1-12 and 19-29 were rejected under 35 USC § 103(a) as being unpatentable over Rothmuller (US 5,635,989) in view of Kostreski et al. (US 5,734,589). Applicant respectfully traverses this rejection because the claim language distinguishes the present invention over the cited art.

The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Second, there must be some suggestion or motivation in the references or in the knowledge generally available to one of ordinary skill in the art to modify a reference or to